

**REMARKS**

Review and reconsideration on the merits are requested.

In response to the rejection under 35 U.S.C. § 112, first paragraph, claim 12 has been amended so that it is directed to a non-linear optical material, where the base particle imparts a non-linear property to the material. As claimed in claim 14 depending from claim 12, the base particle is further characterized as comprising crystallized glass having colloidal silver dispersed therein. Support is found, for example, at page 5 of the specification.

It is respectfully submitted that the claims as amended fully comply with 35 U.S.C. § 112, and withdrawal of the foregoing rejection is respectfully requested.

Claims 1, 3, 5, 7, 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,453,293 to Beane et al.

The Examiner relied on the drawings of Beane et al as showing particles that are three-dimensionally arranged, and relative to claim 9, cited KOVAR as being a magnetic material.

Applicants respectfully traverse for the following reasons.

Rejected claims 1, 3, 5 and 7 require a consolidated material of coated powders in the form of molded, three-dimensional article, whereas rejected claims 9 and 10 require magnetic material powders or coated powders which have been subjected to heat treatment under pressure to consolidate the same. Moreover, claims 3 and 10 require a base particle having thereon plural coating films.

Beane et al. describes two very distinct embodiments. A first is where a plurality of coated particles are consolidated to form an article. This is shown, for example, in Figs. 1 and 2 where coated particles 10 are compacted by means of die-press device 16. See column 3, lines 50-56 and column 4, lines 25-33 of Beane et al. The Examiner did not consider compacted article 22 to meet the requirement of the rejected claims, namely, that the coated powders "are three-dimensionally arranged the same distance from one another in a given direction and are united into the consolidated material while maintaining the same distance in a given direction". Furthermore, there is no basis for rejecting the claims based on Figs. 1 and 2 of Beane et al.

A second distinct embodiment of Beane et al. is shown in Figs. 11 and 12, where particles (which may be either coated or not coated) are co-deposited on article 30 by means of electrolytic plating (column 10, lines 21-42 of Beane et al.). This is not a description of a consolidated material of coated powders in the form of a molded, three-dimensional article as claimed in claims 1, 3, 5 and 7, or a description of magnetic material powders or coated powders which have been subjected to heat treatment under pressure to consolidate the same as claimed in claims 9 and 10.

As to claim 9, the Examiner cited KOVAR as being a weakly magnetic material falling within the scope of the claimed "magnetic base particle". New claim 14 excludes KOVAR by limiting to a base particle comprising at least one of a magnetic elemental metal and a magnetic metal oxide. Support is found, for example, at page 17, lines 4-9 of the specification.

As to claim 10, The Examiner has not indicated an embodiment in Beane et al. that would be within the claimed capacitor comprising a base particle having plural coating films thereon, including a dielectric-material layer and a conductor layer.

Moreover, the material disclosed in Beane et al. comprises only two layers, and is considered to have a small charge storing capacity even if a metal and nonmetal are used. On the other hand, as shown in Example 2 of the present specification, the charge storing capacity becomes larger with an increase in the number of alternate superpositions of a metal layer and a dielectric layer. Such structure is not disclosed or suggested by Beane et al.

In view of the above, it is respectfully submitted that the rejected claims are patentable over Beane et al., and withdrawal of the foregoing rejection under 35 U.S.C. § 103(a) is respectfully requested.

Claims 1, 3, 6-8 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,716,552 to Paszkiet et al. for reasons of record.

Applicants respectfully traverse for the following reasons.

According to Paszkiet et al., particles 122 remain with spacings therebetween as shown in Fig. 4. The resulting structure is different from that achieved by the present invention where the particles are consolidated and fused as defined by the present claims. That is, the feature of the present invention is a configuration in which individual particles are disposed in close contact with each other by eliminating spacing therebetween. Like Beane et al., Paszkiet et al. also is not a description of a consolidated material of coated powders in the form of a molded, three-dimensional article as claimed in claims 1, 3, 5 and 7, or a description of magnetic material

powders or coated powders which have been subjected to heat treatment under pressure to consolidate the same as claimed in claims 9 and 10.

For the above reasons, it is respectfully submitted that the rejected claims are patentable over Paszkiet et al., and withdrawal of the foregoing rejection under 35 U.S.C. § 103(a) is respectfully requested.

Withdrawal of all rejections and allowance of claims 1, 3 and 5-15 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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